United Nations S/2010/254

Security Council

Distr.: General
26 May 2010

Original: English

Letter dated 26 May 2010 from the Secretary-General to the President of the Security Council

I have the honour to refer to Security Council resolution 1912 (2010) of 26 February 2010 on the situation in Timor-Leste. In that resolution, the Council underscored the need for the concept of operations and rules of engagement for the United Nations Integrated Mission in Timor-Leste (UNMIT) to be regularly updated as necessary and to be fully in line with the provisions of that resolution, and requested me to report on them to the Council and troop- and police-contributing countries within 90 days after the adoption of the resolution.

As the roles and tasks of the military liaison group have not changed, no adjustments are required to the military concept of operations. The current concept of operations of the police component, which was approved in January 2010, has been carefully reviewed by the Department of Peacekeeping Operations of the United Nations Secretariat and UNMIT and is perceived as meeting the requirements of the mandate of the Mission, as set forth in Security Council resolution 1912 (2010) and relevant previous resolutions.

In its resolution 1912 (2010), the Council expressed support for the ongoing work on the resumption of primary policing responsibilities by the Polícia Nacional de Timor-Leste (PNTL) through a phased approach, to ensure that PNTL met the criteria mutually agreed between the Government of Timor-Leste and UNMIT, as set out in paragraph 21 of my report of 4 February 2009 (S/2009/72). As highlighted in my letter dated 20 May 2009 (S/2009/261) and in paragraph 20 of my report dated 2 October 2009 (S/2009/504), the resumption process is being conducted pursuant to the agreement concluded on 13 May 2009 by His Excellency Mr. Kay Rala Xanana Gusmão, Prime Minister of Timor-Leste, and my Special Representative (hereinafter referred to as the "agreement") and in accordance with the Arrangement on the Restoration and Maintenance of Public Security in Timor-Leste and Assistance to the Reform, Restructuring and Rebuilding of the Timorese National Police and the Ministry of the Interior, concluded between the Government of Timor-Leste and UNMIT on 1 December 2006. The agreement reiterates the mutually agreed criteria for the resumption process and sets forth the respective roles and responsibilities of the UNMIT police and PNTL after the latter resumes primary policing responsibilities in a district or unit. As further provided for in the agreement, joint assessment teams of civilian and police representatives from the Government and UNMIT continue to determine the readiness of the districts and units on the basis of the agreed criteria. The teams also identify any shortcomings that need to be

Please recycle

addressed by PNTL and the Government of Timor-Leste, both prior to and following resumption, with the assistance of UNMIT.

In line with the agreement, a revised version of the current concept of operations for the police component of UNMIT is in its final stage of review and approval. It provides strategic objectives as well as operational guidance for the implementation of the gradual resumption of policing responsibilities by PNTL. It also sets out the change in the roles and responsibilities of PNTL and the UNMIT police whereby the latter has assumed an increasing role in mentoring, training, monitoring, advising and providing operational support to PNTL. To enhance the effectiveness and joint ownership of the resumption process by the UNMIT police and PNTL, the Mission is developing, jointly with the Timor-Leste authorities, a plan for the continued role of the UNMIT police in mentoring, training and monitoring as well as providing advice and operational support to PNTL. In this connection, in order to better assist PNTL in building its capacity, priority will be given to the deployment to UNMIT of police officers as well as civilian experts with the required skill sets. The assistance of Member States in the provision of such personnel to UNMIT in a timely manner will be vital. At the same time, it will be important for the Timorese to increasingly assume ownership of the process and to utilize, to a maximum extent, the assistance provided by the continued presence of UNMIT.

The directive on detention, searches and use of force for United Nations police officers on assignment with UNMIT, which sets out the circumstances in which such officers may utilize force in executing their duties, does not require any revision at this time, as the UNMIT police will continue to have significant responsibilities for interim law enforcement until PNTL has been fully reconstituted.

To date, PNTL has resumed primary policing responsibilities in 6 of the 13 districts of Timor-Leste (Lautem, Oecussi, Manatuto, Viqueque, Ainaro and Baucau) and 3 of 12 units (the Police Training Centre, the Maritime Unit and the Police Intelligence Service). In addition, PNTL has met the criteria for the resumption of primary policing responsibilities in another two districts, Aileu and Liquica, and resumption of those responsibilities in these districts is planned for June 2010. Further, the resumption of responsibilities in Ermera district can also proceed once the status of the non-certified district commander is resolved.

In close consultation with UNMIT, the Department of Peacekeeping Operations will continue to review, on a regular basis, the concept of operations for the UNMIT military liaison group and the UNMIT police so as to ensure that they adequately reflect the evolving situation as the resumption process progresses, in order to enable UNMIT to carry out its mandate in the most effective manner. The Department will continue to keep Security Council members, as well as troop- and police-contributing countries, informed.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon